**University of Colorado Student Government**

**Legislative Council**

Date: September 19, 2013 Bill name/number: 79LCB03

Sponsored by:

Wyatt Ryder- Election Commissioner

Ellie Roberts- President of Internal Affairs

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Authored by: Wyatt Ryder- Election Commissioner

**A Bill to Update the Election Code**

**Bill History**

It is currently procedure, as stated in the Election Code, that in the event of a tie during a CUSG election, a run-off election shall take place the day following the final day of voting, Friday, from a period of 8:00 AM to 5:00 PM.

Additionally, there are no regulations currently located in the Election Code addressing the practice of “tabling”.

**Bill Summary**

It is the belief of the author that holding a run-off election the day after the conclusion of voting is difficult logistically and does not allow for a sufficient amount of students to vote. Holding a run-off election the Monday following the last day of voting would increase student knowledge that there is a run-off election occurring and would allow candidates involved in a run-off the opportunity to campaign.

Additionally, with a lack of regulations dealing with the practice of “tabling”, the practice has in recent years become unorganized and unfair. Adding regulations would make the important practice of tabling more fair for candidates and tickets in that the Election Commissioner would have oversight of the process. It would also address concerns brought up by University Facilities Management and help to mitigate these concerns that currently have a negative effect on the University community.

**Whereas,** holding a run-off election the day after voting concludes is very difficult logistically;

**Whereas,** holding a run-off election the day after voting concludes does not allow the Election Commissioner, the Director of Communications, or University Communications to inform a large amount of the student body that a run-off election is occurring;

**Whereas,** holding a run-off election the day after voting concludes is unfair to candidates because they must campaign with little advance notice;

**Whereas,** a lack of tabling regulations makes the process of tabling unorganized;

**Whereas,** allowing the Election Commissioner to oversee the process of tabling will make the process fairer for all candidates and tickets involved;

**Whereas,** tabling regulations would address concerns brought up by University Facilities Management.

**THEREFORE BE IT RESOLVED by the Legislative Council of the University of Colorado Student Government THAT THE ELECTION CODE BE MODIFIED TO**:

**Section 1:** Repeal and nullify Election Code section 406(b): Election to Office, which states:

“The candidates receiving the greatest number of votes for the office of Representative-at-Large shall be elected until all open seats are filled. In the event of a tie, the tie shall be broken by an additional day of voting to begin the next day, Friday, at 8:00 a.m. and to end at 5:00 p.m. of the same day. The Election Commissioner will notify all candidates involved in the tie-breaker vote by 10:00 p.m. on the last day of elections and will communicate the tie-breaker vote to the student body through as many outlets as feasible such as the CUSG website, University of Colorado Boulder website, electronic messaging boards around campus, and a campus-wide email.

And append a new Election Code section 406(b): Election to Office, which states:

“The candidates receiving the greatest number of votes for the office of Representative-at-Large shall be elected until all open seats are filled. In the event of a tie, the tie shall be broken by an additional day of voting to begin the Monday following the last day of voting at 8:00 a.m. and to end at 5:00 p.m. of the same day. The Election Commissioner will notify all candidates involved in the tie-breaker vote by 10:00 p.m. on the last day of elections and will communicate the tie-breaker vote to the student body through as many outlets as feasible such as the CUSG website, University of Colorado Boulder website, electronic messaging boards around campus, and campus-wide email.

**Section 2:** Append a new Election Code section 406(c): Election to Office, which states:

“In the event of a tie and subsequent run-off election, all deadlines already set by the Election Code shall remain valid. Should any deadlines need to be extended, the Election Commissioner shall submit written notice to the Legislative Council President, the Executive(s), and CUSG office staff.”

**Section 3:** Append a new Election Code section 406(d): Election to Office, which states:

“In the event of subsequent ties, the Election Commissioner shall have the authority to determinate an appropriate course of action, including the ability to set additional days of voting.”

**Section 4:** Append a new Chapter, 12: Tabling, and a new section 1201(a): Tabling Regulations, which states:

“In the interest of fairness, the Election Commissioner shall have the authority to set specific locations on campus in which candidates are permitted to table in compliance with Campus Use of University Facilities (CUUF) policies.”

**Section 5:** Append a new section 1201(b): Tabling Regulations, which states:

“If a candidate is found guilty of violating CUUF policies for the purposes of promoting his/her candidacy, they shall receive two (2) infraction points for each unique offense.”

**Section 6:** This bill will become null and void upon sixty (60) days after passage.

**Section 7:** This bill shall take effect upon passage by the Legislative Council and upon either obtaining the signatures of two Tri-Executives or the lapse of six days without actions by the Tri-Executives.

**Vote Count**

**09/19/2013 Passed amendment of Sec. 4/CUUF policies Acclamation**

**09/19/2013 Failed to amend Sec. 4/”discussion” 1-13-2**

**09/19/2013 Failed to strike Sec. 4 & 5 3-9-5**

**09/19/2013 Passed amendment of Sec. 4/strike “regulations” 13-1-3**

**09/19/2013 Motion to table bill Withdrawn**

**09/19/2013 Motion to strike Sec. 4 & alter Sec. 5/violating CUUF**

**09/19/2013 Amend previous motion to change Sec. 4/”on campus”, retain change to Sec. 5/violating CUUF and strike “under section 1201(a)**

**09/19/2013 Passed revised amendment Acclamation**

**09/19/2013 Passed amendment to add Sec. 6/sunset Acclamation**

**09/19/2013 Passed on 1st reading as amended 13-2-2**

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Christopher Schaefbauer Wesley Montag

President of Student Affairs Legislative Council President

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Marco Dorado Ellie Roberts

President of External Affairs President of Internal Affairs